

ASHMAN, STAYED, TERMED

United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 4.1.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:01-cv-01731

Hawkins, et al v. Groot Ind Inc, et al
Assigned to: Honorable Joan B. Gottschall
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 03/12/2001
Date Terminated: 09/29/2004
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Anderson Hawkins

represented by **Uche O. Asonye**
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Plaintiff

Lawrence Woodfork
*on behalf of themselves and all others
similarly situated*

represented by **Uche O. Asonye**
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Nydia Molina
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Plaintiff

Javier Guerrero

represented by **Nydia Molina**
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ATTORNEY TO BE NOTICED

Uche O. Asonye

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Plaintiff

Enrique Hernandez

represented by **Justin Giles Randolph**
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V.

Defendant

Groot Industries, Inc.

represented by **David Elliot Metz**
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TERMINATED: 04/11/2003
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Defendant

**Groot Recycling and Waste Services,
Inc.**

represented by **David Elliot Metz**
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TERMINATED: 04/11/2003
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William Francis Dugan
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/12/2001	<u>1</u>	COMPLAINT (Attachments); Jury demand – Civil cover sheet – Appearance(s) of Uche O. Asonye as attorney(s) for plaintiffs (No summons(es) issued.) (Documents: 1–1 through 1–3) (maf) (Entered: 03/13/2001)
03/12/2001		RECEIPT regarding payment of filing fee paid; on 3/12/01 in the amount of \$ 150.00, receipt # 1023515. (maf) (Entered: 03/13/2001)
05/21/2001		SCHEDULE set on 5/21/01 by Hon. James B. Moran : Status hearing set to 9:45 6/6/01 pursuant to rule 16 of the F.R.C.P. Mailed notice (wah) (Entered: 05/21/2001)
05/25/2001	2	ATTORNEY APPEARANCE for defendants Groot Industries, Inc., Groot Recycling and Waste Mgt Svc, Inc. by David Elliot Metz, Jeffrey Kenneth Ross. (maf) (Entered: 05/25/2001)
05/25/2001	3	ANSWER by defendants to complaint [1–1]; Notice. (maf) (Entered: 05/25/2001)
06/06/2001		SCHEDULE set on 6/6/01 by Hon. James B. Moran : Status hearing held. No notice (wah) (Entered: 06/06/2001)
06/08/2001	<u>4</u>	REASSIGNMENT ORDER of 6/8/01 Case reassigned to Hon. Joan B. Gottschall from the Hon. James B. Moran . (For further detail see order.) Mailed notice (maf) (Entered: 06/11/2001)
07/20/2001	5	MOTION by plaintiffs to set a briefing schedule for motion for class certification ; Notice (yap) (Entered: 07/26/2001)
07/25/2001	<u>6</u>	MINUTE ORDER of 7/25/01 by Hon. Joan B. Gottschall : Status hearing set to 8/2/01 at 9:30 a.m. Plaintiff's motion to set a briefing schedule for motion for class certification [5–1] is granted. Motion for class certification is due by 11/23/01. Response by 12/21/01. Reply to 1/4/02. Mailed notice (yap) (Entered: 07/26/2001)
08/02/2001		SCHEDULE set on 8/2/01 by Hon. Joan B. Gottschall : Status hearing held. Status hearing date will be set with ruling on class certification motion by mail. In court notice (rj) (Entered: 08/02/2001)
11/02/2001	7	AGREED MOTION by parties to extend the briefing schedule for motion for class certification by ninety(90)days, or until 2/21/02 ; Notice (las) (Entered: 11/15/2001)
11/14/2001	<u>8</u>	MINUTE ORDER of 11/14/01 by Hon. Joan B. Gottschall : Agreed motion by the parties to extend the briefing schedule for motion for class certification by ninety(90)days,or until 2/21/02 is granted [7–1]. Motion for class certification is due 2/21/02. Response is due by 3/22/02. Reply is due by 4/5/02. Mailed notice. (las) (Entered: 11/15/2001)
12/05/2001	<u>9</u>	MOTION by plaintiffs for leave to file their first amended class action complaint pursuant to Rule 15(a) of the Federal Rules of Civil Procedure to add parties and to include additional allegations of discrimination ; Brief in support (Attachments); Notice. (lc) (Entered: 12/20/2001)
12/19/2001	<u>10</u>	MINUTE ORDER of 12/19/01 by Hon. Joan B. Gottschall: Answer breif to motion due 01/09/02. Reply to answer breif due 01/23/02. Ruling on plaintiffs' motion for leave to file their first amended complaint [9–1] will be by mail. Mailed notice. (fce) (Entered: 12/20/2001)
01/10/2002	11	ATTORNEY APPEARANCE for defendants Groot Industries, Inc. and Groot Recycling and Waste Services, Inc. by John M. Vande Walle. (cem) (Entered: 01/10/2002)

		01/11/2002)
01/10/2002	<u>12</u>	RESPONSE by defendants to plaintiffs' motion to amend [9-1]; Notice. (cem) (Entered: 01/11/2002)
01/23/2002	<u>13</u>	REPLY by plaintiffs to defendants' response to plaintiffs' motion to amend [12-1] (Attachments). (mw) (Entered: 01/25/2002)
02/27/2002	14	EXPEDITED REFERRAL ORDER: Case referred to Hon. Martin C. Ashman for settlement conference Mailed notice. (rj) (Entered: 02/27/2002)
03/13/2002		SCHEDULE set on 3/13/02 by Hon. Martin C. Ashman : Settlement conference set for 2:00 4/10/02 in chambers 1366. All clients and parties with full authority to settle are to be physically present. Failure to have parties with full authority to settle present may result in the imposition of severe sanctions. (For further details see attached standing order.) Mailed notice (is) (Entered: 03/13/2002)
03/29/2002	<u>15</u>	AGREED MOTION by parties to reset the date of the settlement conference ; Notice. (yp) (Entered: 04/09/2002)
04/08/2002	<u>16</u>	MINUTE ORDER of 4/8/02 by Hon. Martin C. Ashman : Agreed motion to reset the date of the settlement conference is granted [15-1]. Settlement conference is reset to 6/19/02 at 2:00 p.m. Mailed notice (yp) (Entered: 04/09/2002)
06/21/2002		SCHEDULE set on 6/21/02 by Hon. Martin C. Ashman : Settlement conference reset to 11:00 7/18/02. Mailed notice (is) (Entered: 06/21/2002)
07/01/2002		CITATION to Discover Assets Issued as to Patrick Botica and Michael Tarelco (2 original & 2 copies). (hmb) (Entered: 07/02/2002)
07/15/2002	<u>17</u>	MEMORANDUM by defendants in support of their motion for summary judgment re plaintiff Hawkins. (gcy) (Entered: 07/16/2002)
07/15/2002	18	EXHIBITS list by defendants [17-1] (Attachments). (gcy) (Entered: 07/16/2002)
07/15/2002	<u>19</u>	MEMORANDUM by defendants in support of their motion for summary judgment re plaintiff Woodfork. (gcy) (Entered: 07/16/2002)
07/15/2002	20	EXHIBITS list by defendant [19-1] (Attachments). (gcy) (Entered: 07/16/2002)
07/15/2002	<u>24</u>	MOTION by defendants' for summary judgment re plaintiff Woodfork ; Notice. (hmb) (Entered: 08/05/2002)
07/15/2002	<u>25</u>	STATEMENT by defendants' of undisputed material facts in support of their motion for summary judgment as to plaintiff Woodfork [24-1]. (hmb) (Entered: 08/05/2002)
07/15/2002	<u>26</u>	MOTION by defendants' for summary judgment re plaintiff Hawkins ; Notice. (hmb) (Entered: 08/05/2002)
07/15/2002	<u>27</u>	STATEMENT by defendants' of undisputed material facts in support of their motion for summary judgment as to plaintiff Hawkins [26-1]. (hmb) (Entered: 08/05/2002)
07/16/2002	<u>28</u>	MOTION by plaintiffs' to continue defendants' summary judgment motion in order to complete discovery and briefing on plaintiffs' motion for class certification ; Notice. (hmb) (Entered: 08/05/2002)
07/16/2002	<u>29</u>	MEMORANDUM by plaintiffs' in support of their motion to continue defendants' summary judgment motion in order to complete discovery and briefing on plaintiffs' motion for class certification [28-1] (Attachments). (hmb) (Entered: 08/05/2002)
07/16/2002	<u>30</u>	AFFIDAVIT of Uche O. Asonye, attorney for plaintiffs'. (hmb) (Entered: 08/05/2002)
07/17/2002	<u>31</u>	AMENDED NOTICE by defendants' of motion for summary judgment re plaintiff Woodfork [24-1] (hmb) (Entered: 08/05/2002)

07/17/2002	<u>32</u>	AMENDED NOTICE by defendants' of motion for summary judgment re plaintiff Hawkins [26-1] (hmb) (Entered: 08/05/2002)
07/18/2002	<u>21</u>	MINUTE ORDER of 7/18/02 by Hon. Martin C. Ashman : Settlement conference held – unsuccessful. All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Terminating the case referral to Hon. Martin C. Ashman regarding [9-1] . No notice (hmb) (Entered: 07/19/2002)
07/25/2002	<u>33</u>	MOTION by plaintiffs' pursuant to rule 30(d) to direct counsel for defendants' to permit a fair deposition examination of defendants' division manager, Craig Phillips , and for sanctions (Attachments); Notice. (hmb) (Entered: 08/05/2002)
07/26/2002	<u>22</u>	RESPONSE by defendants' to plaintiffs' motion to continue Groot's motions for summary judgment. (hmb) (Entered: 07/29/2002)
07/30/2002	<u>23</u>	REPLY by plaintiffs' to Groot's response to plaintiffs' motion to continue Groot's motion for summary judgment. (hmb) (Entered: 07/31/2002)
07/31/2002	<u>34</u>	MINUTE ORDER of 7/31/02 by Hon. Joan B. Gottschall : Plaintiff's motion to continue defendants' summary judgment motion in order to complete discovery and briefing on plaintiffs' motion for class certification is denied for reasons stated on the record [28-1]. Plaintiffs' motion pursuant to rule 30(d) to direct counsel for defendants' to permit a fair deposition examination of defendants' division manager, Craig Phillips [33-1] and for sanctions [33-2] is entered and continued to 8/30/02 at 9:30 a.m. Response is due by 8/21/02. Answer brief to defendants' motions for summary judgment re: plaintiffs' Woodfork and Hawkins [26-1], [24-1] due 10/9/02. Reply to answer brief due 10/30/02. Mailed notice (hmb) (Entered: 08/05/2002)
08/05/2002	<u>35</u>	MINUTE ORDER of 8/5/02 by Hon. Joan B. Gottschall: Status hearing set for 8/29/02 at 9:30 a.m. Plaintiffs' motion for leave to file their first amended class action complaint is granted in part and denied in part [9-1]. (Entered Order) Mailed notice (vmj) (Entered: 08/07/2002)
08/16/2002	<u>36</u>	DECLARATION of Georgine Wendell regarding motions for summary judgment re plaintiff Hawkins [26-1] re plaintiff Woodfork [24-1]; Notice. (hmb) (Entered: 08/19/2002)
08/16/2002	<u>37</u>	DECLARATION of Jim Dowling regarding motions for summary judgment re plaintiff Hawkins [26-1], re plaintiff Woodfork [24-1]; Notice. (hmb) (Entered: 08/19/2002)
08/16/2002	<u>38</u>	DECLARATION of Craig Phillips regarding motions for summary judgment re plaintiff Hawkins [26-1], re plaintiff Woodfork [24-1]; Notice. (hmb) (Entered: 08/19/2002)
08/16/2002	<u>39</u>	DECLARATION of C.J. Sturwold regarding motions for summary judgment re plaintiff Hawkins [26-1], re plaintiff Woodfork [24-1]; Notice. (hmb) (Entered: 08/19/2002)
08/21/2002	<u>40</u>	RESPONSE by Groot Ind Inc and Groot Recycling to plaintiffs' motion re Phillips deposition [33-1] (Attachments). (hmb) (Entered: 08/22/2002)
08/27/2002	<u>41</u>	MOTION by plaintiffs' for leave to file their second amended class action complaint (Attachments); Notice. (hmb) (Entered: 09/03/2002)
08/30/2002	<u>42</u>	MINUTE ORDER of 8/30/02 by Hon. Joan B. Gottschall : Answer brief to plaintiffs' motion for leave to file their second amended class action complaint due 9/13/02 [41-1]. Reply to answer brief due 9/27/02. Ruling on motion [41-1] will be by mail. Plaintiffs' motion pursuant to Rule 30(d) to direct counsel for defendants' to permit a fair deposition examination of defendants' division manager, Craig Phillips is granted [33-1], and for sanctions is granted in part and denied in part [33-2]. Oral motion by plaintiffs' counsel for an extra hour beyond 7 hour limit to take deposition is granted. Mailed notice (hmb) (Entered: 09/03/2002)
09/04/2002	<u>44</u>	MOTION by plaintiffs' for class certification ; Memorandum in support; Notice. (hmb) (Entered: 09/17/2002)

09/04/2002	<u>45</u>	CLASS CERTIFICATION EXHIBITS by plaintiff [44-1] (hmb) (Entered: 09/17/2002)
09/04/2002	<u>46</u>	MOTION by plaintiffs' to file memorandum in support of motion for class certification in excess of 15 pages . (hmb) (Entered: 09/17/2002)
09/13/2002	<u>43</u>	RESPONSE by defendants' to plaintiffs' motion for leave to file their second amended class action complaint [41-1] (Attachments). (hmb) (Entered: 09/16/2002)
09/13/2002	<u>47</u>	MINUTE ORDER of 9/13/02 by Hon. Joan B. Gottschall : Answer brief to plaintiffs' motion for class certification [44-1] due 10/15/02. Reply to answer brief due 10/29/02. Ruling on plaintiff's motion for class certification will be by mail. Plaintiff's motion for leave to file memorandum in support of motion for class certification in excess of 15 pages is granted [46-1]. Mailed notice (hmb) (Entered: 09/17/2002)
09/13/2002	<u>48</u>	ATTORNEY APPEARANCE for defendants' by William Francis Dugan (hmb) (Entered: 09/18/2002)
09/26/2002	<u>49</u>	REPLY by plaintiffs' to defendants' response to plaintiff's motion for leave to file their second amended class action complaint [41-1] (Attachments). (hmb) (Entered: 09/27/2002)
10/03/2002	<u>52</u>	MOTION by plaintiffs' to modify the briefing schedule for defendants' summary judgment motions by 12 days (Attachments); Notice. (hmb) (Entered: 10/09/2002)
10/04/2002	<u>50</u>	STATEMENT by defendant of undisputed material facts in support of their motion for summary judgment re plaintiff Guerrero (hmb) (Entered: 10/07/2002)
10/04/2002	<u>51</u>	COMPENDIUM OF DOCUMENTS by defendants' in support of their motion for summary judgment re plaintiff Guerrero (Attachments). (hmb) (Entered: 10/07/2002)
10/04/2002	<u>55</u>	MOTION by defendant for summary judgment re: plaintiff Guerrero ; (hmb) (Entered: 10/10/2002)
10/04/2002	<u>56</u>	MEMORANDUM of law by defendants' in support of their motion for summary judgment re: plaintiff Guerrero [55-1] (hmb) (Entered: 10/10/2002)
10/07/2002	<u>54</u>	ENTERED ORDER regarding the briefing schedule for defendants' motions for summary judgment and plaintiffs' motion for class certification. (hmb) (Entered: 10/09/2002)
10/08/2002	<u>53</u>	MINUTE ORDER of 10/8/02 by Hon. Joan B. Gottschall : Enter agreed order. Plaintiff's motion to modify the briefing schedule for defendants' summary judgment motions by 12 days is granted [52-1]. Regarding defendants' motion for summary judgment in connection with plaintiffs', Hawkins [26-1] and Woodfork [24-1]: plaintiffs' responses to defendants' motions for summary judgment are due 10/23/02. Defendants' reply by 11/13/02. Regarding defendants' motion for summary judgment in connection with plaintiff, Guerrero: Plaintiff's response to defendants' motion for summary judgment are due 11/14/02. Defendants' reply by 11/25/02. Defendants' response to plaintiffs' motion for class certification is due by 11/4/02 [44-1]. Plaintiffs' reply is due by 11/18/02. Mailed notice (hmb) (Entered: 10/09/2002)
10/15/2002	<u>58</u>	MOTION by defendants' for summary judgment re: plaintiff Hernandez ; Memorandum of law in support; Notice. (hmb) (Entered: 10/21/2002)
10/15/2002	<u>59</u>	STATEMENT by defendants' of undisputed material facts in support of their motion for summary judgment re: plaintiff Hernandez [58-1] (hmb) (Entered: 10/21/2002)
10/15/2002	<u>60</u>	COMPENDIUM of documents by defendants' in support of their motion for summary judgment re: plaintiff Hernandez (Attachments). (hmb) (Entered: 10/21/2002)
10/16/2002	<u>61</u>	MOTION by defendants' to correct 8/30/02 order (Attachments); Notice. (hmb) (Entered: 10/21/2002)

10/18/2002	<u>57</u>	EXPEDITED REFERRAL ORDER: Case referred to Hon. Martin C. Ashman for discovery supervision Mailed notice. (rj) (Entered: 10/19/2002)
10/18/2002	<u>62</u>	MINUTE ORDER of 10/18/02 by Hon. Joan B. Gottschall : Answer brief to defendants' motion for summary judgment re: plaintiff Hernandez [58-1] due on 11/18/02. Reply to answer brief due 12/2/02. Ruling on motion [58-1] will be by mail. Mailed notice (hmb) (Entered: 10/21/2002)
10/18/2002	<u>63</u>	MINUTE ORDER of 10/18/02 by Hon. Joan B. Gottschall : Defendants' motion to correct 8/30/02 order is granted as follows: [61-1] The court did not intend to sanction anyone in its 8/30/02 order. The court sees no reason to correct the order beyond this clarification. No appearance is required 10/23/02 at 9:30 a.m. Mailed notice (hmb) (Entered: 10/21/2002)
10/18/2002	<u>64</u>	MINUTE ORDER of 10/18/02 by Hon. Joan B. Gottschall : Briefing schedule as to defendants' motion for summary judgment in connection with plaintiff, Hernandez [58-1] is extended as follows: response is due by 12/9/02. Reply is due 1/10/03. (Entered Order.) Mailed notice (hmb) (Entered: 10/24/2002)
10/23/2002		SCHEDULE set on 10/23/02 by Hon. Martin C. Ashman : Status hearing set to 10:00 11/1/02 in courtroom 1386. Mailed notice (is) (Entered: 10/23/2002)
10/23/2002	<u>67</u>	MOTION by plaintiffs' for leave to file briefs in response to defendants' motion for summary judgment in excess of 15 pages ; Notice. (hmb) (Entered: 10/31/2002)
10/23/2002	<u>69</u>	SUMMARY JUDGMENT EXHIBITS by plaintiffs' [58-1], [55-1], [26-1], [24-1] (hmb) (Entered: 10/31/2002)
10/24/2002	<u>65</u>	TRANSCRIPT of proceedings for the following date(s): 7/31/02 Before the Honorable Joan B. Gottschall (hmb) (Entered: 10/25/2002)
10/24/2002	<u>66</u>	TRANSCRIPT of proceedings for the following date(s): 8/30/02 Before the Honorable Joan B. Gottschall (hmb) (Entered: 10/25/2002)
10/30/2002	<u>68</u>	MINUTE ORDER of 10/30/02 by Hon. Joan B. Gottschall : Plaintiffs' motion for leave to file briefs in response to defendants' motion for summary judgment in excess of 15 pages is granted [67-1]. Mailed notice (hmb) (Entered: 10/31/2002)
10/30/2002	<u>70</u>	RESPONSE by plaintiff Woodfork to defendants' statement of undisputed material facts in support of their motion for summary judgment as to plaintiff Woodfork [24-1] (hmb) (Entered: 10/31/2002)
10/30/2002	<u>71</u>	RESPONSE by plaintiff Hawkins to defendants' statement of undisputed material facts in support of their motion for summary judgment as to plaintiff Hawkins [26-1] (hmb) (Entered: 10/31/2002)
10/30/2002	<u>72</u>	STATEMENT by plaintiffs' of additional facts which require the denial of defendants' summary judgment motion pursuant to Rule 56.1(b)(3)(B) (hmb) (Entered: 10/31/2002)
10/30/2002	<u>73</u>	BRIEF by plaintiff Hawkins in response to defendants' motion for summary judgment (Attachments). (hmb) (Entered: 10/31/2002)
10/30/2002	<u>74</u>	BRIEF by plaintiff Woodfork in response to defendants' motion for summary judgment (Attachments). (hmb) (Entered: 10/31/2002)
10/30/2002	<u>75</u>	MINUTE ORDER of 10/30/02 by Hon. Joan B. Gottschall : Enter agreed order. Defendants' response to plaintiffs' motion for class certification is due by 12/5/02 [44-1]. Plaintiffs' reply is due by 1/10/03. Defendants' replies to plaintiffs' responses to defendants' summary judgment motions related to Hawkins and Woodfork are due by 11/25/02. Plaintiffs responses to defendants' summary judgment motion related to Javier Guerrero are due by 11/14/02. Defendants' reply is due by 12/15/02. Plaintiffs' response to defendants' summary judgment motion related to Enrique Hernandez is due by 12/9/02. defendants' reply is due 1/10/03. (Entered Agreed Order Regarding the Briefing Schedules for Plaintiffs' Class Certification Motion and Defendants' Summary Judgment Motions.) Mailed notice (hmb) (Entered: 10/31/2002)

10/31/2002		SCHEDULE set on 10/31/02 by Hon. Martin C. Ashman : Status hearing reset to 10:00 11/19/02 . Mailed notice (is) (Entered: 10/31/2002)
10/31/2002	<u>76</u>	LETTER from John Vande Walle, attorney for defendants' to the clerk of court dated 10/30/02. (hmb) (Entered: 11/05/2002)
11/14/2002	<u>77</u>	MOTION by Javier Guerrero for leave to file his brief in response to defendants' motion for summary judgment in excess of 15 pages ; Notice. (air) (Entered: 11/25/2002)
11/19/2002		SCHEDULE set on 11/19/02 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 2/13/03 . Mailed notice (is) (Entered: 11/19/2002)
11/22/2002	<u>78</u>	MINUTE ORDER of 11/22/02 by Hon. Joan B. Gottschall: Plaintiff Guerrero's motion for leave to file his brief in response to defendants' motion for summary judgment in excess of 15 pages is granted [77-1]. Mailed notice (air) (Entered: 11/25/2002)
11/22/2002	<u>79</u>	STATEMENT by Javier Guerrero of additional facts which require the denial of defendants' summary judgment motion pursuant to Rule 56.1(b)(3)(B). (air) (Entered: 11/25/2002)
11/22/2002	<u>80</u>	BRIEF IN RESPONSE by Javier Guerrero to defendants' motion for summary judgment re: plaintiff Hernandez [58-1] re: plaintiff Guerrero [55-1] re plaintiff Hawkins [26-1], re plaintiff Woodfork [24-1] (Attachments). (air) (Entered: 11/25/2002)
11/22/2002	<u>81</u>	RESPONSE by Javier Guerrero to defendants' statement of undisputed material facts in support of their motion for summary judgment re: plaintiff Guerrero [55-1]. (air) (Entered: 11/25/2002)
11/22/2002	82	SUMMARY JUDGEMENT EXHIBITS by Javier Guerrero. (air) (Entered: 11/25/2002)
11/27/2002	<u>87</u>	CONSOLIDATED AGREED MOTION by defendants' to exceed 15 page limitation , and for extension of time to file response ; Notice. (hmb) (Entered: 12/06/2002)
12/04/2002	<u>88</u>	MINUTE ORDER of 12/4/02 by Hon. Joan B. Gottschall : Consolidated agreed motion by defendants to exceed 15 page limitation for their summary judgment reply briefs concerning Anderson Hawkins and Larry Woodfork [87-1], and for extension of time to file response is granted [87-2]. Defendants' responses to plaintiff's motion for class certification is due by 12/12/02 [44-1]. Plaintiff's reply is due by 1/20/03. Mailed notice (hmb) (Entered: 12/06/2002)
12/05/2002	<u>83</u>	RESPONSE by defendants' to Hawkins and Woodfork's Rule 56.1 (3)(B) statement [72-1] (hmb) (Entered: 12/06/2002)
12/05/2002	84	APPENDIX by defendants' to their responses to plaintiffs' statement of additional facts [72-1]. (hmb) (Entered: 12/06/2002)
12/05/2002	<u>85</u>	REPLY brief by defendants' in support of its motion for summary judgment regarding Woodfork [24-1]. (hmb) (Entered: 12/06/2002)
12/05/2002	<u>86</u>	REPLY brief by defendants' in support of its motion for summary judgment regarding Hawkins [26-1]. (hmb) (Entered: 12/06/2002)
12/09/2002	<u>89</u>	MOTION by plaintiff Enrique Hernandez for leave to to file his brief in response to defendants' motion for summary judgment in excess of 15 pages ; Notice. (hmb) (Entered: 12/16/2002)
12/09/2002	<u>90</u>	RESPONSE by plaintiff Hernandez to defendants' statement of undisputed material facts in support of their motion for summary judgment as to plaintiff Hernandez [58-1] (hmb) (Entered: 12/16/2002)
12/09/2002	<u>91</u>	STATEMENT by plaintiff Hernandez of additional facts which require the denial of defendants' summary judgment motion pursuant to Rule 56.1(b)(3)(B). (hmb) (Entered: 12/16/2002)

12/09/2002	<u>92</u>	SUMMARY JUDGMENT EXHIBITS by enrique Hernandez. (hmb) (Entered: 12/16/2002)
12/13/2002	<u>93</u>	MINUTE ORDER of 12/13/02 by Hon. Joan B. Gottschall : Plaintiff, Hernandez's motion for leave to to file his brief in response to defendants' motion for summary judgment in excess of 15 pages is granted [89-1]. Mailed notice (hmb) (Entered: 12/16/2002)
12/13/2002	<u>94</u>	BRIEF by plaintiff Hernandez in response to defendants' motion for summary judgment (Attachments). (hmb) (Entered: 12/16/2002)
12/17/2002	<u>97</u>	MOTION instanter by defendant for extension of time to file response brief , and motion insanter for leave to file briefs in excess of 15 pages ; Notice. (hmb) (Entered: 12/24/2002)
12/19/2002	<u>103</u>	MOTION by plaintiff for leave to file an additional appearance ; Notice. (hmb) (Entered: 01/10/2003)
12/20/2002	<u>95</u>	RESPONSE by defendants' to Guerrero's Rule 56.1(b)(3)(B) statement [79-1] (hmb) (Entered: 12/23/2002)
12/20/2002	<u>96</u>	REPLY brief by defendant in support of its motion for summary judgment regarding plaintiff Guerrero [55-1]; Notice. (hmb) (Entered: 12/23/2002)
12/20/2002	<u>98</u>	MEMORANDUM by defendants' in opposition to plaintiffs' motion for class certification [44-1] (Attachments). (hmb) (Entered: 12/24/2002)
12/20/2002	<u>99</u>	MINUTE ORDER of 12/20/02 by Hon. Joan B. Gottschall : Defendants' motion for extension of time to 12/17/02 to file response to plaintiffs' motion for class certification and for extension of time to 12/20/02 to file their reply brief on their motion for summary judgment on the claims of plaintiff Guerrero is granted. Defendants' motion to file response brief in excess of 15 pages on the motion for class certification [97-1] and reply brief in excess of 15 pages on their motion for summary judgment is granted [97-2]. Mailed notice (hmb) (Entered: 12/24/2002)
01/03/2003	<u>101</u>	MOTION by plaintiffs' for leave to file an additional appearance ; Notice. (hmb) (Entered: 01/10/2003)
01/06/2003	<u>100</u>	ATTORNEY APPEARANCE for plaintiffs' Anderson Hawkins, Lawrence Woodfork and Javier Guerrero by Nydia Molina (hmb) (Entered: 01/07/2003)
01/08/2003	<u>104</u>	MINUTE ORDER of 1/8/03 by Hon. Joan B. Gottschall : Plaintiff's motion for leave to file an additional appearance of Nydia Milona is granted [103-1]. Mailed notice (hmb) (Entered: 01/10/2003)
01/10/2003	<u>102</u>	MINUTE ORDER of 1/10/03 by Hon. Joan B. Gottschall : Plaintiffs' motion for leave to file the additional appearance of Nydia Molina is granted [101-1]. Mailed notice (hmb) (Entered: 01/10/2003)
01/10/2003	<u>105</u>	ATTORNEY APPEARANCE for plaintiffs' by Nydia Molina. (hmb) (Entered: 01/10/2003)
01/16/2003	<u>106</u>	ENTERED AGREED ORDER modifying the briefing schedule and granting leave to file briefs in excess of 15 pages. (hmb) (Entered: 01/23/2003)
01/17/2003	<u>111</u>	AGREED MOTION by defendants' for extension of time to file reply brief , and for leave to file brief in excess of 15 pages ; Notice. (hmb) (Entered: 01/28/2003)
01/22/2003	<u>107</u>	MINUTE ORDER of 1/22/03 by Hon. Joan B. Gottschall : Enter agreed order modifying the briefing schedule and granting leave to file briefs in excess of 15 pages. This order is filed in conjunction with the defendants' motion to modify the briefing schedule and for leave to file briefs in excess of 15 pages [97-1]. Mailed notice (hmb) (Entered: 01/23/2003)
01/23/2003	<u>108</u>	RESPONSE by defendants' to Hernandez's Rule 56.1(b)(3)(B) statement [91-1] (hmb) (Entered: 01/24/2003)
01/23/2003	<u>109</u>	REPLY brief by defendants' in support of its motion for summary judgment regarding Hernandez [58-1] (hmb) (Entered: 01/24/2003)

01/23/2003	<u>110</u>	APPENDIX by defendants' to their responses to plaintiff Hernandez's statement of additional facts [109-1] (Attachments). (hmb) (Entered: 01/24/2003)
01/24/2003	<u>112</u>	MINUTE ORDER of 1/24/03 by Hon. Joan B. Gottschall : Defendants' agreed motion for extension of time to file reply brief [111-1], and for leave to file brief in excess of 15 pages is granted [111-2]. Defendants' are to file their reply brief on their motion for summary judgment by 1/24/03. Mailed notice (hmb) (Entered: 01/28/2003)
02/13/2003		SCHEDULE set on 2/13/03 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 6/12/03 . Mailed notice (is) (Entered: 02/13/2003)
02/18/2003	<u>113</u>	MOTION by plaintiffs for leave to file their reply to defendants' response to plaintiffs' motion for class certification instanter (Attachments). (vmj) (Entered: 02/27/2003)
02/18/2003	<u>114</u>	MOTION by plaintiff for leave to file a brief in excess of 15 pages for their reply to the motion for class certification . (vmj) (Entered: 02/27/2003)
02/18/2003	<u>115</u>	NOTICE of motion by plaintiffs regarding motion for leave to file their reply to defendants' response to plaintiffs' motion for class certification instanter [113-1], motion for leave to file a brief in excess of 15 pages for their reply to the motion for class certification [114-1]. (vmj) (Entered: 02/27/2003)
02/26/2003	<u>116</u>	MINUTE ORDER of 2/26/03 by Hon. Joan B. Gottschall: Plaintiffs motion for leave to file their reply to defendants' response to plaintiffs' motion for class certification instanter is granted [113-1]. Plaintiffs' motion for leave to file a brief in excess of 15 pages for their reply to the motion for class certification is granted [114-1]. Mailed notice (vmj) (Entered: 02/27/2003)
02/26/2003	<u>117</u>	REPLY by plaintiffs' to defendants' response to plaintiffs' motion for class certification (Attachment). (vmj) (Entered: 02/27/2003)
03/31/2003		SCHEDULE set on 3/31/03 by Hon. Joan B. Gottschall : Status hearing set to 9:30 4/24/03 . Mailed notice (rj) (Entered: 03/31/2003)
03/31/2003	<u>118</u>	MINUTE ORDER of 3/31/03 by Hon. Joan B. Gottschall : Plaintiffs' motion for leave to file their second amended class action complaint is granted in part and denied in part [41-1]. (Entered Order). Mailed notice (ar) (Entered: 03/31/2003)
03/31/2003	<u>119</u>	MINUTE ORDER of 3/31/03 by Hon. Joan B. Gottschall : Defendants' motion for summary judgment against plaintiff Anderson Hawkins is granted in part and denied in part [26-1], as is defendants' motion for summary judgment against plaintiff Larry Woodfork [24-1]. Entered Memorandum Opinion and Order. Mailed notice (ar) (Entered: 03/31/2003)
04/08/2003	<u>120</u>	MOTION by defendants to withdraw appearance of David E. Metz ; Notice of motion (eav) (Entered: 04/14/2003)
04/11/2003	<u>121</u>	MINUTE ORDER of 4/11/03 by Hon. Joan B. Gottschall : Motion by defendants to withdraw appearance of David E. Metz is granted. [120-1] The clerk is directed to send mail for the defendants to John M. Vande Walle another associate of Seyfarth Shaw who has filed an appearance in this action. Mailed notice (eav) (Entered: 04/14/2003)
04/22/2003	<u>122</u>	MOTION by plaintiffs' for reassignment of case number 03c2669 as related (Attachments); Notice. (hmb) (Entered: 05/01/2003)
04/24/2003		SCHEDULE set on 4/24/03 by Hon. Joan B. Gottschall : Status hearing set for 4/24/03 at 9:30AM is vacated. Motions for summary judgment pending. Telephone notice (rj) (Entered: 04/25/2003)
04/30/2003	<u>123</u>	MINUTE ORDER of 4/30/03 by Hon. Joan B. Gottschall : Answer brief to motion for reassignment of case number 03c2669 as related due 5/9/03 [122-1]. Reply to answer brief due 5/23/03. Ruling on motion [122-1] will be by mail. Mailed notice (hmb) (Entered: 05/01/2003)
05/09/2003	<u>124</u>	RESPONSE by defendant to plaintiffs' motion for reassignment of Rios case [122-1] (Attachments). (hmb) (Entered: 05/12/2003)

05/23/2003	<u>125</u>	REPLY by plaintiffs' to defendants' response to the motion for reassignment of case number 03c2669 as related [122-1] (Attachments). (hmb) (Entered: 05/27/2003)
06/06/2003	<u>126</u>	DECLARATION of William Gray; Notice. (hmb) (Entered: 06/09/2003)
06/12/2003		SCHEDULE set on 6/12/03 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 8/28/03 . Mailed notice (is) (Entered: 06/12/2003)
07/17/2003	<u>127</u>	MOTION by plaintiff to advise the court of fully briefed and pending motions in this case ; Notice. (hmb) (Entered: 07/24/2003)
07/23/2003	<u>128</u>	MINUTE ORDER of 7/23/03 by Hon. Joan B. Gottschall : Plaintiffs' motion to advise the court of fully briefed and pending motions in this case is granted [127-1]. Mailed notice (hmb) (Entered: 07/24/2003)
08/05/2003	<u>129</u>	MINUTE ORDER of 8/5/03 by Hon. Joan B. Gottschall : It has come to the court's attention that although plaintiffs were granted leave to file their first amended complaint on 8/5/02, and subsequently were granted leave to file their second amended complaint on 3/31/03, plaintiffs never actually filed either the first or second amended complaints. As a result, defendants have never answered either the first or second amended complaints. Filing a proposed complaint attached as an exhibit to a motion for leave to file an amended complaint is not the same as filing the complaint once leave to amend is granted. Indeed, one of the reasons it is necessary to file the complaint after leave is granted is because the court may allow only part of the proposed amendments, as happened with both proposed amended complaints here. Plaintiffs have seven days to file their second amended complaint in accordance with the court's order of 3/31/03. Defendants then have twenty-one days to respond. Mailed notice (eav) (Entered: 08/07/2003)
08/12/2003	<u>130</u>	SECOND AMENDED COMPLAINT [1-1] by plaintiff; jury demand; adding plaintiff Enrique Hernandez (Attachments) (rmm) (Entered: 08/13/2003)
08/28/2003		SCHEDULE set on 8/28/03 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 10/23/03 . Mailed notice (is) (Entered: 08/28/2003)
09/02/2003	<u>131</u>	ANSWER by defendants and affirmative defenses to plaintiffs' second amended class action complaint [130-1]. (yp) (Entered: 09/03/2003)
09/02/2003	<u>132</u>	MINUTE ORDER of 9/2/03 by Hon. Joan B. Gottschall : Plaintiff's motion for reassignment of case number 03cv2669 as related is denied [122-1]. (Entered Order). Mailed notice (aga) (Entered: 09/04/2003)
09/02/2003	<u>133</u>	MINUTE ORDER of 9/2/03 by Hon. Joan B. Gottschall : Plaintiffs' motion for class certification is denied [44-1]. (Entered Order). Mailed notice (aga) (Entered: 09/04/2003)
09/02/2003	<u>134</u>	MINUTE ORDER of 9/2/03 by Hon. Joan B. Gottschall : Defendants' motion for summary judgment against plaintiff Enrique Hernandez [58-1] is granted, as is defendants' motion for summary judgment against plaintiff Javier Guerrero [55-1]. Entered Memorandum Opinion and Order. Mailed notice (yp) (Entered: 09/05/2003)
09/12/2003	<u>135</u>	RENEWED MOTION by plaintiffs Anderson Hawkins, Lawrence Woodfork for class certification pursuant to Rule 23(A) and (B)(3) ; Memorandum in support; Notice. (aga) Modified on 09/18/2003 (Entered: 09/18/2003)
09/12/2003	136	EXHIBITS by plaintiffs Anderson Hawkins, Lawrence Woodfork in support of their renewed motion for class certification pursuant to Rule 23(A) and (B)(3) [135-1]. (aga) (Entered: 09/18/2003)
09/17/2003	<u>137</u>	MINUTE ORDER of 9/17/03 by Hon. Joan B. Gottschall : Answer brief to plaintiff's motion for class certification pursuant to Rule 23(A) and (B)(3) [135-1] due 10/8/03. Reply to answer brief due 10/22/03. Ruling on plaintiff's renewed motion for class certification pursuant to Rule 23 (A) and (B)(3) will be by mail. Mailed notice (aga) (Entered: 09/18/2003)
10/06/2003	<u>138</u>	AGREED MOTION by defendants to extend briefing schedule on renewed motion for class certification ; Notice of motion (eav) (Entered: 10/16/2003)

10/10/2003	<u>139</u>	MINUTE ORDER of 10/10/03 by Hon. Joan B. Gottschall : Agreed motion by defendants to extend briefing schedule on renewed motion for class certification is granted. [138-1] Defendants to file response to plaintiffs' renewed motion for class certification by 10/22/03. [135-1] Plaintiffs to file reply by 11/5/03. Ruling by mail. Mailed notice (eav) (Entered: 10/16/2003)
10/22/2003	<u>140</u>	AGREED MOTION by defendants to exceed fifteen page limitation ; Notice. (aga) (Entered: 10/29/2003)
10/22/2003	<u>143</u>	APPENDIX OF EXHIBITS by defendants in support of defendants' brief in opposition to plaintiffs' renewed motion for class certification. (aga) (Entered: 10/29/2003)
10/29/2003	<u>141</u>	MINUTE ORDER of 10/29/03 by Hon. Joan B. Gottschall : Agreed motion by defendants to exceed fifteen page limit for their response to plaintiff's renewed motion for class certification is granted [140-1]. Mailed notice (aga) (Entered: 10/29/2003)
10/29/2003	<u>142</u>	RESPONSE by defendant to plaintiffs' motion for class certification pursuant to Rule 23(A) and (B)(3) [135-1]. (aga) (Entered: 10/29/2003)
10/29/2003	<u>149</u>	MOTION by plaintiffs for leave to take the deposition of Jose Romo, EEOC Investigator (Attachment); Notice. (aga) (Entered: 11/19/2003)
10/30/2003		SCHEDULE set on 10/30/03 by Hon. Martin C. Ashman : Status hearing reset to 10:00 12/15/03 . Mailed notice (is) (Entered: 10/30/2003)
11/05/2003	<u>144</u>	UNOPPOSED MOTION by plaintiff for leave to file a brief in excess of 15 pages for their reply to defendants' response plaintiffs' renewed motion for class certification ; Notice. (aga) (Entered: 11/14/2003)
11/05/2003	<u>145</u>	REPLY by plaintiffs to defendants response [142-1] to plaintiffs' renewed motion for class certification. (aga) (Entered: 11/14/2003)
11/05/2003	<u>146</u>	EXHIBITS by plaintiff in support of their reply [145-1] to defendants' response to plaintiffs' renewed motion for class certification. (aga) (Entered: 11/14/2003)
11/12/2003	<u>147</u>	MINUTE ORDER of 11/12/03 by Hon. Joan B. Gottschall : Plaintiff's unopposed motion for leave to file a brief in excess of 15 pages for their reply to defendants' response plaintiffs' renewed motion for class certification is granted [144-1]. Telephoned notice (aga) (Entered: 11/14/2003)
11/14/2003	<u>148</u>	OPPOSITION by defendants Groot Ind Inc, Groot Recycling to plaintiffs' motion for leave to take deposition of EEOC investigator (Attachments). (aga) (Entered: 11/17/2003)
11/18/2003	<u>150</u>	MINUTE ORDER of 11/18/03 by Hon. Martin C. Ashman : Oral argument held on plaintiffs' motion for leave to take the deposition of Jose Romo, EEOC Investigator. The motion is withdrawn [149-1] given that they have waived the right to challenge the foundation and authenticity of those documents as stated in open court. Mailed notice (aga) (Entered: 11/19/2003)
12/15/2003		SCHEDULE set on 12/15/03 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 1/30/04 . Mailed notice (is) (Entered: 12/15/2003)
12/23/2003	<u>151</u>	SUPPLEMENTAL authority by defendant in opposition to plaintiffs' renewed motion for class certification (Attachments). (aga) (Entered: 12/23/2003)
01/30/2004		SCHEDULE set on 1/30/04 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 3/18/04 . Mailed notice (is) (Entered: 01/30/2004)
03/18/2004		SCHEDULE set on 3/18/04 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 4/23/04 . Mailed notice (is) (Entered: 03/18/2004)
04/05/2004		SCHEDULE set on 4/5/04 by Hon. Martin C. Ashman : Status hearing of 4/23/04 is stricken. Settlement conference set for 2:00 4/23/04 in chambers 1366. All clients and parties with full authority to settle are to be physically present. Failure to have parties with full authority to settle present may result in the imposition of severe sanctions. (For further details see attached standing order). Mailed notice (is) (Entered: 04/05/2004)

04/08/2004	<u>152</u>	MOTION by plaintiff for leave to file an additional appearance of Justin G. Randolph ; Notice. (jmp) (Entered: 04/19/2004)
04/15/2004	<u>153</u>	ATTORNEY APPEARANCE for plaintiffs by Justin Giles Randolph. (jmp) (Entered: 04/19/2004)
04/15/2004	<u>154</u>	MINUTE ORDER of 4/15/04 by Hon. Joan B. Gottschall : Plaintiffs' motion for leave to [152-1] file an additional appearance of Justin G. Randolph is granted [152-2]. Mailed notice (jmp) (Entered: 04/19/2004)
04/23/2004		SCHEDULE set on 4/23/04 by Hon. Martin C. Ashman : Settlement conference held. Status hearing set to 10:00 4/29/04 . Mailed notice (is) (Entered: 04/26/2004)
04/29/2004		SCHEDULE set on 4/29/04 by Hon. Martin C. Ashman : Status hearing held and continued to 10:00 5/7/04 . Mailed notice (is) (Entered: 04/29/2004)
05/07/2004		SCHEDULE set on 5/7/04 by Hon. Martin C. Ashman : Status hearing held and continued to 10:15 5/19/04 . Mailed notice (is) (Entered: 05/07/2004)
05/19/2004		SCHEDULE set on 5/19/04 by Hon. Martin C. Ashman : Status hearing held. Settlement conference set for 2:00 6/4/04 in chambers 1366. All clients and parties with full authority to settle are to be physically present. Failure to have parties with full authority to settle present may result in the imposition of severe sanctions. (For further details see attached standing order). Mailed notice (is) (Entered: 05/19/2004)
06/04/2004	<u>155</u>	MINUTE ORDER of 6/4/04 by Hon. Martin C. Ashman: Settlement conference held – unsuccessful. All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Terminating the case referral to Hon. Martin C. Ashman regarding [135-1]. No notice (jmm) (Entered: 06/07/2004)
06/08/2004		SCHEDULE set on 6/8/04 by Hon. Joan B. Gottschall : Status hearing set to 9:30 7/7/04 . Mailed notice (rj) (Entered: 06/08/2004)
06/22/2004	<u>156</u>	SUPPLEMENTAL RESPONSE by defendant Groot in opposition to class certification [139-1]. (jmm) (Entered: 06/28/2004)
07/07/2004		SCHEDULE set on 7/7/04 by Hon. Joan B. Gottschall : Status hearing held. Mailed notice (yp) (Entered: 07/07/2004)
08/20/2004	<u>157</u>	AGREED MOTION by plaintiffs and defendant to stay the case for forty-five (45) days ; Notice. (jmm) (Entered: 08/24/2004)
08/23/2004	<u>158</u>	MINUTE ORDER of 8/23/04 by Hon. Joan B. Gottschall : Status hearing is set to 10/20/04 at 9:30 a.m. Parties' agreed motion to stay the case for forty-five (45) days to completed settlement negotiations is granted [157-1]. No appearance is required on 9/9/04. Enter order. Mailed notice(jmm) Modified on 08/24/2004 (Entered: 08/24/2004)
08/23/2004	<u>163</u>	MINUTE entry before Judge Joan B. Gottschall : Motion <u>157</u> , Motion to dismiss <u>162</u> are administratively terminated: No notice (rj,) (Entered: 03/19/2005)
09/29/2004	<u>159</u>	MINUTE ORDER of 9/29/04 by Hon. Arlander Keys: Settlement conference held. The parties agreed to a tentative settlement on an individual basis, including several plaintiffs. Additional time is needed for the parties to complete the settlement documents. Pursuant to the settlement agreement, plaintiff's counsel made an oral motion to dismiss the case with leave to reinstate within 60 days (11/28/04) in the event the settlement agreement is not effectuated. This court recommends that the district judge approve the oral motion to dismiss with leave to reinstate within 60 days. Mailed notice (jmm) (Entered: 09/30/2004)
09/29/2004	<u>160</u>	MINUTE ORDER of 9/29/04 by Hon. Joan B. Gottschall: Enter order. Pursuant to plaintiffs' motion, and the recommendation of Magistrate Judge Keyes, this case is dismissed with leave to reinstate within 60 days (11/28/04) in the event a settlement agreement is not effectuated. All pending motions, including plaintiffs' motion for class certification [135-1], are denied without prejudice to re-file in the event this case is reinstated. Terminating case. Mailed notice (jmm) (Entered: 09/30/2004)

10/12/2004	<u>161</u>	MINUTE ORDER of 10/12/04 by Hon. Joan B. Gottschall: Pursuant to Magistrate Judge Key's recommendation in order of 9/29/04, this matter is dismissed with leave to reinstate on or before 11/29/04. Upon failure to file a timely motion to reisntate, the dismissal with prejudice will become final in all events on 11/30/04. Case terminated. Mailed notice (jmm) (Entered: 10/14/2004)
12/06/2004	<u>162</u>	MOTION by plaintiffs for voluntary dismissal ; Notice. (jmm) (Entered: 12/07/2004)